

Desk Statement

The EPA issued an Administrative Order to the Intercontinental Terminals Company (ITC) under its authority of the Clean Water Act. The Order requires ITC to ensure performance of activities which will lessen any imminent and substantial threat to the public health or welfare that may be presented by the discharge or substantial threat of a discharge of hazardous substances from the facility into or upon navigable waters or adjoining shorelines. It also requires performance of activities to prevent air emissions not exceeding concentrations harmful to human health around the worksites and surrounding communities. ITC will also implement any additional response actions as deemed necessary by the Federal On-Scene Coordinator.

Talking Points

- Administrative Order gives EPA the authority under Sections 311(c), (e) and (m) of the Clean Water Act.
- The Order pertains to the discharge of hazardous substances from ITC tank farm at Deer Park.
- Due to worsening and unstable conditions, the Order was issued to ensure there will be an effective cleanup to protect human health and the environment.
- This Order requires ITC to conduct essential activities identified by the EPA for the current discharge and to mitigate any imminent and substantial threat to the public or into navigable waters or adjoining shorelines.
- EPA will ensure the remaining material in the tanks is appropriately removed by any means necessary as to prevent a release of hazardous substances, pollutants or contaminants, or a discharge of oil or hazardous substances.
- Remove the spilled material, including oil, hazardous substances, and fire fighting foam from the facility ditch and downstream waters such as Tucker and Buffalo Bayous, and the Houston Ship Channel. Install the necessary barriers to prevent these materials from migrating further downstream;
- Prevent the release of air emissions that will exceed concentrations harmful to human health and the surrounding environment;
- Continue air monitoring activities to determine if a release of a hazardous substance that could be harmful to human health has occurred. If any release is detected, immediately notify the appropriate federal, state, and local agencies, so appropriate measures can be taken to protect the surrounding communities;
- We will continue to work with all partners to ensure all measures of a safe and secure cleanup are done.